
TITLE 312 NATURAL RESOURCES COMMISSION

One Year Requirement ([IC 4-22-2-25](#))

LSA Document #13-448

May 28, 2014

Re: Law Enforcement Rules, LSA Document #13-448

On behalf of the Natural Resources Commission (Commission), I am submitting this notice in compliance with [IC 4-22-2-25](#). Pursuant to [IC 14-10-2-4](#), the Commission adopts rules, other than emergency rules, for the Department of Natural Resources (DNR). The notice is sought because the Commission has determined that the promulgation of the captioned rule may not be completed within one year after publication of the Notice of Intent to Adopt a Rule.

On January 21, 2014, the Commission preliminarily adopted rule language to amend [312 IAC 4](#), which governs the Division of Law Enforcement for the DNR. The language would amend definitions, remove references to the deputy director, amend prerequisites for application to become a conservation officer, remove review requirements for general orders and standard operating procedures, make other amendments to Division governance, and make technical changes. The Commission caused the posting of its Notice of Intent to Adopt a Rule for the captioned document on October 9, 2013 (DIN: [20131009-IR-312130448NIA](#)). As specified by Executive Order 2-89 and Financial Management Circular 2010-4, fiscal analyses associated with the rule proposal were submitted, along with a copy of the proposed rule language, a copy of the posted notice of intent, and other required documents, to the Indiana Office of Management and Budget (OMB) on January 28, 2014. The OMB approved the submitted fiscal analyses on April 7, 2014.

Following the OMB's April 7, 2014, approval, it remains necessary for the Commission to schedule a public hearing in compliance with [IC 4-22-2-26](#). The public hearing may not be conducted until 21 days after providing notice of the public hearing and posting the proposed rule language in accordance with [IC 4-22-2-2-24](#). Compliance with these requirements dictates that the proposed rule cannot be considered for final adoption by the Commission until, at the earliest, its regular meeting scheduled for September 16, 2014. Following final adoption of the proposed rule by the Commission, the Indiana Attorney General must be provided 45 days for review as specified at [IC 4-22-2-32](#), and under [IC 4-22-2-34](#) the Office of the Governor must be afforded 15 days for approval or disapproval of the rule, which time may be extended to 30 days.

The Commission will expeditiously pursue the promulgation of the captioned rule, but under the circumstances it is necessary to extend the time for completing that process. The expected date the rule will be approved or deemed approved by the Governor or withdrawn under [IC 4-22-2-41](#) is December 1, 2014.

This notice is submitted in a timely manner. June 16, 2014, is the two hundred fiftieth day after publication of the Notice of Intent to Adopt a Rule.

Bryan W. Poynter, Chair
Natural Resources Commission

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